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**ASLEEP AT THE WHEEL: U.S. STRATEGY TO COMBAT EMERGING TERRORIST
THREATS IN THE UNITED STATES**

by

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TERRORIST THREATS IN THE UNITED STATES

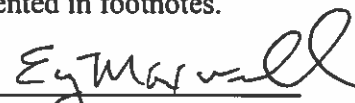
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A paper submitted to the Faculty of the Joint Advanced Warfighting School in partial satisfaction of the requirements of a Master of Science Degree in Joint Campaign Planning and Strategy. The contents of this paper reflect my own personal views and are not necessarily endorsed by the Joint Forces Staff College or the Department of Defense. This paper is entirely my own work except as documented in footnotes.

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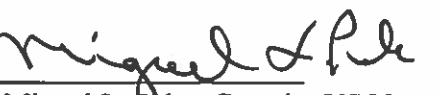

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ABSTRACT

Since the Richard Nixon presidency, the U.S. strategy to fight terrorism in the homeland consistently attempted to keep pace with the changing nature of the threats or the organizations engaged in terrorism. In the Cold War, the U.S. was preoccupied with fighting Marxist ideology and state-sponsored terrorism. As the Cold War ended, the U.S. concentrated on right-wing domestic terrorism and did not fully recognize the rise of Islamic extremism and the threat it posed to the homeland. On 9/11, the focus of both international and domestic counterterrorism (CT) strategy changed significantly. The U.S. became preoccupied with Islamic extremism at home and abroad. The current U.S. CT strategy for international and domestic terrorism is still preoccupied with Islamic extremism and seems to ignore what is reality and what might be coming next. This thesis analyzes the U.S. CT strategy of the previous eight U.S. Presidents and determines whether they adapted to change in emerging terrorist threats in the U.S. The thesis provides recommendations based on the findings whether the U.S. CT strategy is a priority, whether it addresses the current or emerging terrorism threat, or what changes ensure a proactive strategy is in place to support federal, state, tribal, and local LE agencies.

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CHAPTER 1

INTRODUCTION

Since the Richard Nixon Presidency, the U.S. strategy to combat terrorism addressed terrorism in a largely reactive manner and resulted in preventable violence. Each presidential administration executed a strategy that consistently attempted to keep pace with the changing nature of the threats or the organizations engaged in terrorism. In the beginning, the U.S. was preoccupied with fighting Marxist ideology and state-sponsored terrorism. As the Cold War ended, the U.S. concentrated on right-wing domestic terrorism and did not recognize the rise of Islamic extremism and the threat it posed to the homeland. On 9/11, the focus on both international and domestic counterterrorism (CT) strategy changed significantly. The U.S. became preoccupied with Islamic extremism at home and abroad. The current U.S. CT strategy for international and domestic terrorism is still preoccupied with Islamic extremism and ignores what might be coming next. The danger of a CT strategy that focuses on the wrong threat is that it inhibits the ability of federal, state, and local law enforcement (LE) agencies to prevent terrorism.

This thesis analyzes the U.S. CT strategy of the previous eight U.S. Presidents and determines whether they adapted to change in emerging terrorist threats in the U.S. The thesis provides recommendations based on the findings whether the U.S. CT strategy is a priority, whether it addresses the current or emerging terrorism threat, or what changes ensure a proactive strategy is in place to support federal, state, tribal, and local LE agencies.

The rest this thesis is organized as follows; Chapter 2 provides the background information and methodology for this thesis. It explains the different definitions for both international and domestic terrorism and describes the complexities of studying terrorism. It, also, provides a brief discussion on why there is no universal definition of terrorism and the problem that creates. Following the background information, the chapter provides the methodology used in this thesis. The methodology section gives a detailed explanation of the process used to analyze the priority of U.S. CT strategy for the previous eight presidencies. Additionally, it describes the process utilized to identify the actual terrorist threat to the homeland during each administration. This chapter also, provides a better understanding of the limitations in obtaining accurate terrorist incident data for analysis.

The next three chapters provide the CT strategy comparative analysis during each era of time: Cold War era, Post-Cold War era, and War on Terror (WOT) era. In chapter three, the comparative analysis of the Cold War era clearly articulates a preoccupation with state-sponsored, international terrorism and a failure to address the actual threat to the homeland. Chapter four, which covers the Post-Cold War era, highlights a great transformation in terrorist tactics and the initial development of a comprehensive CT strategy to protect the U.S. In chapter five, the War on Terror era describes a continued rise in transnational terrorism, which culminated in the attacks on 9/11. During this era, a continued pre-occupation with international terrorism produced a CT strategy focused on the wrong threat.

Chapter 6 provides the comparative analysis of the various CT strategies and identification of the actual terrorist threat in the U.S. The chapter provides two

recommendations for the development of a more effective and flexible CT strategy that addresses the actual terrorist threat. The findings suggest a need to create a domestic terrorist list and the development of a de-radicalization program. The recommendations ensure that federal, state, tribal, and local LE agencies are equipped with the appropriate threat information to combat the current and emerging terrorist threat in the U.S. without infringing on the privacy and civil liberties of American citizens.

CHAPTER 2

METHODOLOGY AND DEFINITIONS

This thesis conducts a comparative analysis to identify the CT strategy of eight U.S. Presidents and determine whether they recognized change in the emerging terrorist threats in the U.S. within a certain era of time. The three eras used in the comparative analysis are the Cold War, Post-Cold War, and the WOT era. The Cold War era includes the presidential administrations of Richard Nixon, Gerald Ford, Jimmy Carter, and Ronald Reagan from January 1, 1970 to December 31, 1988. The Post-Cold War era includes the presidential administrations of George H.W. Bush and Bill Clinton from January 1, 1989 to December 31, 2000. The WOT era includes the presidential administrations of George W. Bush and Barack Obama from January 1, 2001 to December 31, 2016. The comparative analysis identifies the perceived terrorism threat in the U.S. based on documented strategy and the actual terrorist incidents in the U.S. within each particular era. The analysis identifies whether the Presidential administration focused on the appropriate terrorist threat in the U.S.

This thesis contains four major objectives in the course of answering the research questions. The first objective is to identify whether CT strategy was a priority for each U.S. President, from Richard Nixon to Barack Obama. The second objective is to identify the perceived terrorist threat in the U.S. during each administration. Third, the perceived threat is then compared to the actual terrorist threat in the U.S. during each administration. The fourth objective is to identify recommendations on how to improve

the current CT strategy to be more proactive in nature to assist federal, state, and local LE agencies in preventing terrorism.

An analysis of terrorist incidents identifies the actual terrorist threat within the U.S. The analysis used in this study comes from the Global Terrorism (GTD). The GTD is the product of several data references. Each provides primarily open source, unclassified materials for suspected terrorist incidents from 1970 through 2016 as of the writing of this thesis.¹ The materials consist of both primary and secondary information. The primary information includes media print, electronic news and various other data information. The secondary information consist of books, a multitude of professional journals, and legal documents. GTD collects and assesses open source documents against the quality of the open source. The GTD strives to ensure that the information is independent or free from government, political, or corporate influence.²

This thesis uses four database variables to filter information on terrorist incidents from the GTD. The first variable filters the date range of the search of each presidential administration. The second variable filters whether the incident was a political, economic, religious, or social goal. The search does not include any incidents to coerce, intimidate, or publicize the incident to a larger audience if it did not meet the goal criteria. The search does not include any legitimate acts of warfare as defined by the Geneva Conventions of August 12, 1949. The third variable filters the search to attacks that only occurred within the U.S. The fourth variable filters incidents that are confirmed acts of terrorism within the U.S.³ Once the respective variables filter the database, the results are

¹ National Consortium for the Study of Terrorism and Responses to Terrorism (START), Global Terrorism Database (2016), <https://www.start.umd.edu/gtd> (accessed September 5, 2017).

² Ibid.

³ Ibid.

sorted according to the known perpetrator and grouped by political objective; national-separatist, reactionary, religious, revolutionary, single-issue, and unclear.

A significant limitation within this thesis is the availability of accurate, unclassified data concerning terrorism incidents. Due to the GTD collection process, certain limitations exist in the quality of the data. The first limitation is the inclusiveness of the data. The requirement for high quality independent source information eliminates the availability of accurate documentation from many non-democratic states. The second limitation within the GTD is the subjective nature in which the data categorizes a terrorist incident. For example, neither the Department of Justice (DOJ) nor the FBI has an official, publically available list of terrorist plots and incidents within the U.S.⁴ Therefore, the GTD cannot verify the accuracy of all available data. The third and biggest limitation with the GTD is that the collection process changed numerous times. For example, Pinkerton Global Intelligence Service (PGIS) collected all the data from 1970 to 1997. From 1998 to 2008, the Center for Terrorism and Intelligence Studies (CETIS) collected the data for the GTD. Between 2008 and 2011, the Institute for the Study of Violent Groups (ISVG) collected the data. From 2011 to the present, the Study of Terrorism and Responses to Terrorism (START) has been the primary collector of data.⁵ This change presents difficulty when comparing data across time. However, even with limitations on data accuracy within the GTD, it is still the most comprehensive source of unclassified terrorist incident information available.

⁴ Jerome P. Bjelopera, *Domestic Terrorism: An Overview*, CRS Report No. R44291 (Washington, DC: Congressional Research Service, 2017), 58.

⁵ National Consortium for the Study of Terrorism and Responses to Terrorism (START), Global Terrorism Database (2016), <https://www.start.umd.edu/gtd> (accessed September 5, 2017).

This analysis examines the CT strategy of presidential administrations from 1970 to the present. It uses a multitude of source material to determine whether CT strategy was a priority of each administration. The analyzed documents consist of Presidential Decision Directives (PDD), National Security Decision Directives (NSDD), presidential guidance or language, administration supported Congressional legislation, Government Accountability Office reports to Congress, and various other policies in effect during each particular era of time. Other materials include media print, electronic news, book, professional journals, legal documents, and other data sources. Although subjective in nature, the existence of written policy documents indicate CT strategy was a priority of the administration. Open source, unclassified sites are the source for all thesis documents.

Defining Terrorism

Terrorism is a complex concept that dates back several hundred years. The term terrorism first entered the English language in 1795 when Edmund Burke condemned French revolutionaries as “hell-hounds called terrorists.”⁶ Since that time, many political scientists attempted to define the tactic but there is no consensus definition. In fact, currently there are over 200 different definitions in use to describe terrorism.⁷ Terrorism is difficult to define because terrorism creates political consequences. In many nation-states, a terrorist label subjects individuals to significant ramifications. It gives the government enhanced power to investigate, search, and sometimes detain individuals without due process.⁸ Though there is little agreement on the terminology, most agree on

⁶ Randall David Law, *The Routledge History of Terrorism* (Abingdon, Oxon: Routledge, 2015) *eBook Collection (EBSCOhost)*, EBSCOhost (accessed October 21, 2017).

⁷ Tore Bjorgo, *Root Causes of Terrorism: Myth, Reality, and Ways Forward* (London: Routledge, 2005), 1.

⁸ Johnathan R. White, *Terrorism and Homeland Security* (Boston, MA: Cengage Learning, 2015), 4.

the most common elements of each definition: the use of violence or the threat of violence to create a condition of fear or terror for political purposes.⁹

For the purposes of consistency in language, this thesis uses definitions provided by the Federal Bureau of Investigation (FBI). Within the concept of terrorism, the FBI breaks the definition into two categories based on origin of the act and location of incident. The first category of terrorism is international terrorism. The FBI defines international terrorism as “violent acts or acts dangerous to human life that are a violation of the criminal laws of the United States or any state, or that would be a criminal violation if committed within the jurisdiction of the United States or any state. These acts intend to intimidate or coerce a civilian population, influence the policy of a government by intimidation or coercion, or affect the conduct of a government by assassination or kidnapping. International terrorist acts occur outside the United States or transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to coerce or intimidate, or the locale in which their perpetrators operate or seek asylum.”¹⁰ Included within the international terrorism tactic is state-sponsored terrorism. State-sponsored terrorism is the active, covert support of a terrorist group by a foreign government.¹¹

The second category of terrorism is domestic terrorism. According to the FBI, domestic terrorism is “the unlawful use, or threatened use, of force or violence by a group or individual based and operating entirely within the United States or Puerto Rico without

⁹ Leonard Weinberg, Ami Pedahzur & Sivan Hirsch-hoefler, “The Challenges of Conceptualizing Terrorism, Terrorism and Political Violence,” *Terrorism and Political Violence* Vol. 16, No. 4 (Winter 2004): 781.

¹⁰ Federal Bureau of Investigation, “Terrorism 2002/2005,” Federal Bureau of Investigation, <https://www.fbi.gov/stats-services/publications/terrorism-2002-2005> (accessed September 6, 2017).

¹¹ Donna G. Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama* (New York: Palgrave Macmillan, 2014), 45.

foreign direction. It contains acts committed against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof in furtherance of political or social objectives.”¹² In addition, unlike ordinary criminals, a cause or ideology motivates terrorists; self-interests, profit, and opportunity do not motivate terrorists.¹³ Unlike international terrorists, the DOJ does not publicly identify domestic terrorist groups.¹⁴ It only identifies terrorist threats that includes criminal activities, such as animal right extremists, eco-terrorists, anarchists, anti-government extremists, black separatist movements, white supremacists, and anti-abortion extremists.¹⁵

¹² Federal Bureau of Investigation, “Terrorism 2002/2005,” Federal Bureau of Investigation, <https://www.fbi.gov/stats-services/publications/terrorism-2002-2005> (accessed September 6, 2017).

¹³ Jerome P. Bjelopera, *Domestic Terrorism: An Overview*, CRS Report No. R44291 (Washington, DC: Congressional Research Service, 2017), 6.

¹⁴ Bjelopera, *Domestic Terrorism: An Overview*, 57

¹⁵ Jerome P. Bjelopera, *Domestic Terrorism Appears to Be Reemerging as a Priority at the Department of Justice*, CRS Insights, IN10137 (Washington, DC: Congressional Research Service, 2014), 2.

CHAPTER 3

COLD WAR (1970-1988)

Even though the Cold War era lasted from 1945 to 1991, this thesis only focuses on the years between 1970 and the decline of the Soviet Union in 1989.¹ The Cold War era covers the presidential administrations of Richard Nixon, Gerald Ford, Jimmy Carter, and Ronald Reagan. The comparative analysis of CT strategy during this era clearly indicates a preoccupation with state-sponsored international terrorism and a failure to address the threat from single-issue groups within the U.S.

Richard Nixon

The origins of U.S. CT strategy on the international front trace back to the late 1960's and early 1970's.² During this time, the term terrorist was associated with either an insurgent or guerilla force and terrorism was perceived to be a transnational issue.³ From the American perspective, as long as U.S. citizens were not getting hurt, or the incident was outside the borders of the U.S., it was not a significant issue. That circumstance changed in August 1969, when two Palestinian terrorists hijacked TWA flight 840. The hijacking forced the Richard Nixon administration to consider policy to protect U.S. interests at home and abroad.

¹ Harry S. Truman Library, "Timeline of the Cold War," Harry S. Truman Library, https://www.trumanlibrary.org/dbq/res/cia/TrumanCIA_Timeline (accessed December 2, 2017).

² Beverly Gage, "Terrorism and the American Experience: A State of the Field," *The Journal of American History* Vol. 98, No. 1 (June 2011): 76, JSTOR Journals, EBSCOhost (accessed September 10, 2017).

³ Timothy Naftali, "The Impotence of Power: Nixon and Counterterrorism," *Washington Decoded*, <https://www.washingtondecoded.com/files/tnrmn.pdf> (accessed October 22, 2017), 1.

Nixon recognized that the previous methods of dealing with hijackers was not applicable for the transnational threat. In the past, his administration used the Department of State (DOS) and diplomacy to negotiate a resolution to a crisis.⁴ This foreign policy option was an extension of what the FBI and local LE already practiced on the domestic front. The FBI and local LE advocated paying ransom for hostages. Then, they would go after the criminals later.⁵ However, as the hijackings increased, Nixon knew he had to implement more protections. Therefore, on September 11, 1970 Nixon issued a statement that ordered the creation of sky marshals. In addition, over the objections of his advisors, Nixon announced a significant change in U.S. response to the hijackings. The U.S. would now hold states responsible for any loss of U.S. life or damage to property if they allowed a hijacked plane to land within their borders.⁶

Then, in response to the murder of Israeli athletes at the Munich Olympics, on September 25, 1972, Nixon became the first U.S. President to initiate a CT policy to combat terrorism. He issued a memorandum to the Secretary of State, which established the Cabinet Committee to Combat Terrorism. The committee consisted of the Secretary of State, Secretary of the Treasury, Secretary of Defense, Secretary of Transportation, the U.S. Ambassador to the United Nations, Directors of both the FBI and Central Intelligence Agency (CIA), and the Assistant to the President for National Security Affairs. The President charged the committee to gather intelligence on terrorist activity and develop the means to counter terrorism both internationally and domestically.⁷

⁴ Naftali, "The Impotence of Power: Nixon and Counterterrorism," 3.

⁵ Ibid., 10.

⁶ Ibid., 13.

⁷ The Nixon Foundation, "The Dawn of American Counterterrorism Policy," Nixon Foundation, <https://www.nixonfoundation.org/2016/09/the-dawn-of-american-counterterrorism-policy/> (accessed December 2, 2017).

However, Henry Kissinger and the National Security Council (NSC) staff discounted the importance of the committee and the issue of terrorism. The cabinet level committee met only once during Nixon's presidency and did not meet again until 1977. A mid-level working group led by the State Department's new coordinator for combatting terrorism and representatives from the CIA and FBI replaced the cabinet level group and continued to work on the President's initiative.⁸

On March 1, 1973, four member of the Black September faction of the Palestine Liberation Organization (PLO) took five hostages at the Saudi Arabian embassy in Khartoum, Sudan. The Palestinians demanded the release of several hundred Palestinian prisoners and Sirhan Sirhan.⁹ In response to the Palestinian demands, on March 2, 1973 Richard Nixon announced a new U.S. CT policy. President Nixon stated during a press conference, "We will do everything we can to get them released, but we will not pay blackmail." Nixon's spontaneous statement caught his entire administration off guard. Even though the CT working group considered a "no concessions" policy, it had no support from Secretary of State William Rogers who felt it was too callous.¹⁰ The "no concessions" policy remains an enduring part of U.S. CT policy for the next seven U.S. Presidents.

Richard Nixon and his administration viewed terrorism as an international issue for others to solve. He viewed the PLO and hijackers as the only significant threat to U.S. interests. In response to the threat, Nixon put forth several effective policies intended to create a deterrence to the current hijacker problem. The creation

⁸ Timothy Naftali, *Blind Spot: The Secret History of American Counterterrorism* (New York: Basic Books, 2006), 59.

⁹ Naftali, "The Impotence of Power: Nixon and Counterterrorism," 33.

¹⁰ Naftali, *Blind Spot: The Secret History of American Counterterrorism*, 70.

of the sky marshals and mandated baggage screening displays the willingness to advance policy and dedicate resources in support of a CT strategy. However, Nixon's attempt to formulate an effective CT strategy was not a priority of his administration. He failed to ensure that the Cabinet Committee to Combat Terrorism developed into a functioning body. Nixon allowed Henry Kissinger to become a roadblock to the effectiveness of the working group and the CT strategy process died at the Cabinet level.

On the domestic side, there was virtually no discussion of strategy. With the exception of a few covert operations like COINTELPRO, the Nixon administration continued to combat terrorism with LE resources in a completely reactive manner.¹¹ Furthermore, encouraged by a continued decrease in terrorist incidents, the Nixon presidency saw little interest in CT strategy development. From documented policy, his administration seemed to ignore the significance of national-separatist and revolutionary groups, which account for 58.7% (560 of 954) of all terrorist attacks in the U.S. from January 1, 1970 to December 31, 1976.¹²

Gerald Ford

On August 8, 1974, Richard Nixon resigned as President of the United States. Gerald Ford, Nixon's Vice President, succeeded him in an administration consumed by chaos. As he took office, Ford faced the need to replace most of Richard Nixon's

¹¹ Senate Committee on Intelligence Activities, *The FBI's Covert Action Program to Destroy the Black Panther Party*, 94th Cong., 2d sess., 1976, <https://www.hsdl.org/?view&did=479831> (accessed February 2, 2018), 2.

¹² National Consortium for the Study of Terrorism and Responses to Terrorism (START), Global Terrorism Database (2016), <https://www.start.umd.edu/gtd> (accessed September 5, 2017).

principal advisors. During the restructure, he retained Henry Kissinger as Secretary of State and named Brent Scowcroft as the national security advisor.

President Ford, initially, made no change to Nixon's CT policy toward international terrorism. He felt an international coalition was the appropriate way to fight terrorism. However, soon after taking charge, a split emerged between his principal advisors and the midlevel officials at the Department of State, Treasury, Justice, Defense, CIA, and FBI. The midlevel officials continued to worry about the emerging threat of extremist groups, while the principal advisors discounted the terrorist threat. They were convinced that terrorism consisted of nothing but hijackers and PLO activity.¹³

As the incidents of terrorism in the U.S. decreased, Ford's only initial fear on the domestic front concerned weapons of mass destruction (WMD). In response to that fear, in November 1974, Ford directed the Cabinet Committee to Combat Terrorism mid-level working group to develop a plan to deal with "lost or stolen nuclear weapons and special nuclear materials, nuclear bomb threats, and radiation dispersal threats."¹⁴ The group met every two weeks to discuss trends and review CT activities.¹⁵

President Ford's international CT strategy never materialized. The Ford White House consistently downplayed the significance of terrorism activities abroad. Combined with fear from a CIA espionage scandal, Ford distanced himself further from any discussion of international terrorism. The attitude prevailed even as many

¹³ Naftali, *Blind Spot: The Secret History of American Counterterrorism*, 79.

¹⁴ Ibid.

¹⁵ Ibid.

midlevel CT experts became increasingly worried about changing trends. Intelligence experts felt that the splintering of radical Palestinian groups indicated a shift from state-sponsored terrorism and one toward more transnational terrorism.¹⁶

On the domestic front, the overall number of domestic terrorist attacks continued to decline. Much like the Nixon administration, national-separatist and revolutionary terrorist attacks dominated the homeland. Unfortunately, the Ford White House did not make this issue a priority. Only election year politics created any interest in either domestic or international terrorism. LE remained the primary response to terrorist incidents and no initiatives to increase the sharing of intelligence information ever materialized. When Ford left the White House in 1977, the U.S. had no semblance of a credible international or domestic CT strategy.

Jimmy Carter

During the 1976 presidential election campaign, Jimmy Carter and his running mate, Walter Mondale, exhibited a completely different view of terrorism from previous administrations. Unlike Gerald Ford, they recognized that the U.S. must address terrorism.¹⁷ However, soon after winning the presidential election, Jimmy Carter realized that the U.S. had virtually no CT strategy and he suffered the same issues his predecessor. Carter's team of advisors did not think terrorism was a relevant issue to consume foreign policy focus. His National Security Advisor, Zbigniew Brzezinski, discounted the idea that terrorism was a strategic issue. He felt that containment of the Soviet Union was a

¹⁶ Naftali, *Blind Spot: The Secret History of American Counterterrorism*, 85.

¹⁷ *Ibid.*, 99.

greater threat to national security.¹⁸ Another NSC staffer, William Odom, reaffirmed Brzezinski's view on terrorism. Odom did not think that the phenomenon of terrorism even existed. He suggested terrorism be handled in a traditional manner. Odom stated that, "When it happens here, it is a crime. When it happens abroad, it is war."¹⁹

Terrorism did not gain the new administration's attention until March 9, 1977. On this date, a group of twelve Hanafi Muslim extremists took control of three buildings and 134 hostages in Washington D.C. for 39 hours. The incident resulted in one dead and one wounded. Consistent with standing protocol, the Washington D.C. police investigated the incident as a crime. The Carter administration and the DOS only became involved after one of the terrorists requested to speak to Arab and Muslim representatives. Even though Carter did not publically address the incident, it prompted him to order a review of U.S. CT policy.²⁰

At the conclusion of the CT policy review, Carter signed the Presidential Security Memorandum (PSC 30) on September 16, 1977. PSC 30 created a framework for the first CT strategy. The memo identified the NSC's newly created Executive Committee on Combatting Terrorism as the principal integrator for CT issues and policy. Consistent with standard practice, the DOS was designated the lead on incidents overseas and the DOJ was designated the lead on incidents at home. PSC 30 abolished the Nixon era working group and replaced it with a new Working Group on Terrorism that reported directly to the NSC. In addition, PSC 30 created the Terrorism Intelligence Subcommittee

¹⁸ Naftali, *Blind Spot: The Secret History of American Counterterrorism*, 101.

¹⁹ Ibid.

²⁰ U.S. President, Presidential Review Memorandum, *Terrorism, Presidential Review Memorandum 30* (Washington, DC: Government Printing Office 21, 1977), 1.

and for the first time identified terrorism as a responsibility of the intelligence community.²¹

However, in response to the lack of substance within PSC 30, several key lawmakers sought to develop a more comprehensive approach to combat terrorism. Senators Abraham Ribicoff and Jacob Javits sponsored the Omnibus Terrorism Act. The act called for the creation of a council, chaired by the NSC advisor, to oversee a national antiterrorism program. It directed the DOS to elevate its Office on Combatting Terrorism to a bureau level position. The DOJ would create a new position with the assistant attorney general to combat terrorism. In addition, the act instituted mandatory sanctions against airports and countries that did not cooperate with baggage inspection procedures.²² The bill died in 1978 due to interference from the White House. The Carter administration encouraged dissent among legislators on a definition for terrorism. Legislators could not agree on the “my terrorist is your freedom fighter” debate and the bill died.²³ For the remainder of the Carter administration, only one significant advancement toward the development of a CT strategy occurred. In 1979, Congress authorized the DOS to create a list of state sponsors of terrorism. In response, any state on this annually published list would be subject to sanctions.²⁴

Even though Carter’s CT policies were similar to those of previous administrations, his interference in the Omnibus Terrorism Act indicates that CT was not a priority of his administration. The NSC and intelligence services continued to discount the threat of international terrorism. With a decrease in the number of terrorist attacks in

²¹ Naftali, *Blind Spot: The Secret History of American Counterterrorism*, 102.

²² Natali, *Blind Spot: The Secret History of American Counterterrorism*, 106.

²³ Ibid., 112.

²⁴ Ibid., 113.

the U.S. from national-separatist and revolutionary groups, Carter made little effort to modify policies to create a more proactive CT strategy.²⁵ He continued to use LE, with no emphasis on intelligence sharing, as the primary response to terrorist attacks in the U.S.

Ronald Reagan

When Ronald Reagan took the oath of office as the 40th President to the United States on January 20, 1981, the United States had been battling the Soviet Union in the Cold War for more than four decades.²⁶ The proxy wars between the two superpowers saw the creation of a foreign policy focused on countering Soviet aggression and the advancement of communism in the Third World and Latin America.²⁷ The Reagan Doctrine typified the foreign policy for this era.”²⁸ Much like the policies of previous administrations, the Reagan Doctrine advocated a CT policy and eventual strategy that focused on state-sponsored terrorism and forbade negotiations with terrorist organizations.²⁹

Unlike previous administrations, Reagan’s foreign policy rhetoric addressed terrorism from the very beginning. A week after taking office, and in conjunction with the release of 52 American hostages from Iran, Reagan laid out his initial policy on terrorism. He warned that making concessions to terrorists was not an option and that any

²⁵ Natali, *Blind Spot: The Secret History of American Counterterrorism*, 107.

²⁶ White House, “Ronald Reagan,” White House, <https://www.whitehouse.gov/1600/presidents/ronaldreagan> (accessed October 26, 2017).

²⁷ The American Presidency Project, “Republican Party Platform of 1980,” The American Presidency Project, <http://www.presidency.ucsb.edu/ws/?pid=25844> (accessed October 17, 2017).

²⁸ Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama*, 47.

²⁹ *Ibid.*, 50.

threat against the U.S. would meet swift and effective retribution.³⁰ However, in the first NSC meeting one week later, the topic quickly slipped away as President Reagan fell asleep fifteen minutes into Alexander Haig's terrorism briefing. The administration viewed the topic much like the Ford administration. Terrorism resulted from state sponsorship and it was not a strategic threat.³¹

Once Reagan refined his foreign policy team, the administration produced NSSD 30. Released on April 10, 1982, NSSD 30 focused mainly on the U.S. response to an international or domestic terrorist attack. Much like the administrations before, the DOS was responsible for international incidents and the FBI was the lead for domestic incidents.³² The most notable piece of NSSD 30 created the Interdepartmental Group on Terrorism (IG/T). The IG/T, chaired by the DOS, was "responsible for the development of overall U.S. policy on terrorism including policy directives, organizational issues, legislative initiatives, and interagency training programs."³³ This directive marked the first attempt by a U.S. President to develop a comprehensive approach to CT.

Over the next several years, several terrorist attacks occurred that helped shape U.S. CT strategy. In April 1983, Reagan faced a terrorist threat that nobody on his team was expecting. The attack did not come from a Palestinian group or a Marxist-Leninist group, nor from a state-sponsored group. Islamic Jihad attacked the U.S. embassy in Beirut with a suicide bomb that killed 63, including 17 Americans.³⁴ This event left the Reagan administration with virtually no options. The use of military action to enforce

³⁰ Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama*, 50.

³¹ Naftali, *Blind Spot: The Secret History of American Counterterrorism*, 118.

³² Edgar B. Tembo, *US-UK Counter-Terrorism after 9/11: A Qualitative Approach* (London: Routledge, 2014), 89.

³³ U.S. President, Presidential Decision Directive, *Managing Terrorist Incidents, Presidential Decision Directive 30* (Washington, DC: Government Printing Office 21, 1982), 2.

³⁴ Naftali, *Blind Spot: The Secret History of American Counterterrorism*, 130.

swift and effective retribution became too difficult to employ. Then, On October 23, 1983, a suicide bomber attacked the Marine barracks in Beirut, which killed 241 U.S. Marines.³⁵ In response to the attack, Reagan immediately issued NSSD 109, which blamed Iran and Iranian sponsored Hezbollah for the attack.³⁶

The Marine barracks attack created a fundamental change in U.S. CT policy. Secretary of State George Schultz recommended to Reagan the use of military force “not only against terrorists, but also against states that support, train, or harbor terrorists.” This concept became the Shultz Doctrine and viewed international terrorism as an act of war and not a criminal act.³⁷ Even though the Reagan administration did not use military force in response to the Marine barracks attack, the Shultz Doctrine set a precedent of military action for years to come. The Reagan administration used overt military force on two separate occasions over the next five years. Military forces conducted operations against hijackers of the Achille Lauro in 1985 and in Operation El Dorado Canyon against Libya’s Muammar Gaddafi in April 1986.³⁸ To justify the use of military force against terrorist sponsoring states, the Reagan administration invoked Chapter VII, Article 51 of the Charter of the United Nations. Chapter VII, Article 51, which addresses actions of self-defense, states “Nothing in the present Charter shall impair the inherent right of the individual or collective self-defense if armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.”³⁹

³⁵ Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama*, 52.

³⁶ Naftali, *Blind Spot: The Secret History of American Counterterrorism*, 130.

³⁷ Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama*, 47.

³⁸ *Ibid.*, 68.

³⁹ United Nations, “Charter of the United Nations.” United Nations, <http://legal.un.org/repertory/art51.shtml> (accessed September 15, 2017).

In response to political pressure from three significant overseas attacks in 1985, Reagan ordered a task force to “review the nation’s programs to combat terrorism” and “to reassess U.S. priorities and policies. Furthermore, the task force was to ensure that current programs make the best use of available assets and to determine if our national program is properly coordinated to achieve the most effective results.”⁴⁰ In 1986, Vice President George H. W. Bush, who chaired the Task Force on Combatting Terrorism, provided recommendations in the following categories: national policy and programs, international cooperation, intelligence, legislative, and communication. Other than a positive confirmation of the current CT policy, the task force only made two significant recommendations. First, the task force recommended the development of criteria for the NSC to determine when and how to use military force. The criteria focused on preemptive action, reaction, and retaliation. The second significant recommendation requested a study of the relationship between terrorism and the domestic and international legal system. The recommendation went on to explain that ambiguities exist in the current legal process that slow down or inhibit a government’s ability to act quickly to a terrorist threat.⁴¹

On the international front, the Reagan presidency experienced a tremendous transformation in CT strategy and established a precedent for future Presidents. His administration was the first to pass significant terrorist crime legislation, which gave the DOJ more flexibility in prosecuting criminal cases and expanded the justification for the use of military force and rendition against state-sponsored terrorism. For example, in

⁴⁰ Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama*, 73.

⁴¹ *Ibid.*, 74.

1984 taking an American hostage overseas became a crime. Then in 1986, assaulting, maiming, or murdering a U.S. citizen anywhere in the world became a crime.⁴²

At home, the Reagan presidency experienced a shift in the threat of domestic terrorism. The threat from national-separatist and revolutionary groups, though still prevalent, declined significantly (see Table 1 below).

Table 1. Terrorist attacks by group during the Cold War era (1970-1988)⁴³

	National-Separatist	Reactionary	Religious	Revolutionary	Single Issue	Unclear	Total Attacks
1970	67	24	7	126	21	103	348
1971	50	11	11	83	1	37	193
1972	13	2	10	19	0	15	59
1973	17	2	13	5	0	15	52
1974	19	0	14	23	0	18	74
1975	27	14	4	59	0	29	133
1976	25	3	19	27	0	21	95
1977	41	2	7	57	6	9	122
1978	23	3	7	22	5	19	79
1979	12	5	1	14	1	19	52
1980	10	12	3	14	0	19	58
1981	13	2	11	6	0	24	56
1982	22	1	8	10	8	19	68
1983	3	1	2	13	2	9	30
1984	2	0	2	12	27	14	57
1985	1	0	5	2	17	3	28
1986	9	4	4	2	13	11	43
1987	0	1	0	0	15	17	33
1988	1	0	1	0	8	15	25
Total	355	87	129	494	124	416	1605

The emerging threat became single-issues groups that focused on animal and abortion rights. From January 1, 1981 to December 31, 1988, single-issue groups

⁴² Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama*, 51.

⁴³ National Consortium for the Study of Terrorism and Responses to Terrorism (START), Global Terrorism Database (2016), <https://www.start.umd.edu/gtd> (accessed September 5, 2017).

accounted for 26.4% (90 of 340) of domestic terrorist incidents.⁴⁴ Much like previous administrations, Reagan did not develop a comprehensive CT strategy and continued to respond in a reactive manner to incidents of terrorism in the U.S.

Summary

One common theme across all four administrations during the Cold War era was the perception that terrorism was an international problem. The Nixon and Ford administrations saw the PLO and other national-separatist groups as the primary threat of terrorism. During the Carter and Reagan administrations, the focus shifted toward Marxist ideology and state-sponsored terrorism as the primary threat to U.S. interests. Of the four, only Ronald Reagan appeared to view terrorism as a priority. Precipitated by strong rhetoric and then followed by NSSD 30, Reagan's administration was the first to attempt the development of a comprehensive CT strategy.

Another common theme among the four administrations lay in their response toward terrorism. Each administration designated DOS as the lead for international incidents and the DOJ the lead for domestic incidents. With the exception of some covert operations in the U.S., little evidence exists that any of the administrations adopted a proactive approach toward CT for a couple reasons. First, due to the rapidly decreasing number of attacks in the U.S., administrations did not see value with pursuing a more proactive approach toward terrorism. In 1970, there were 348 terrorist attacks in the U.S (See Table 2 below).

⁴⁴ National Consortium for the Study of Terrorism and Responses to Terrorism (START), Global Terrorism Database (2016), <https://www.start.umd.edu/gtd> (accessed September 5, 2017).

Table 2. Terrorist attacks during the Cold War era (1970-1988)⁴⁵

	Total Attacks	Successful Attacks	Killed	Injured
1970	348	282	26	126
1971	193	166	15	42
1972	59	43	10	33
1973	52	44	41	30
1974	74	67	7	17
1975	133	121	23	154
1976	95	79	4	41
1977	122	89	4	16
1978	79	68	7	8
1979	52	39	13	48
1980	58	51	13	21
1981	56	40	3	10
1982	68	58	10	31
1983	30	26	5	3
1984	57	52	3	780
1985	28	18	1	8
1986	43	27	1	36
1987	33	28	1	0
1988	25	21	0	0
Total	1605	1319	187	1404

Over the next 18 years, the number of attacks dropped consistently and the predominant threat changed. More specifically, during the Reagan administration, the threat shifted from revolutionary motivated attacks to single-issues such as abortion activists to animal rights groups. The Reagan administration did not implement any CT policy modifications to address the emerging threat within the U.S. By 1988,

⁴⁵National Consortium for the Study of Terrorism and Responses to Terrorism (START), Global Terrorism Database (2016), <https://www.start.umd.edu/gtd> (accessed September 5, 2017).

there were only 25 terrorist attacks in the U.S. and the Reagan administration was still preoccupied with state-sponsored terrorism.⁴⁶

⁴⁶National Consortium for the Study of Terrorism and Responses to Terrorism (START), Global Terrorism Database (2016), <https://www.start.umd.edu/gtd> (accessed September 5, 2017).

CHAPTER 4

POST-COLD WAR (1989-2000)

For the purpose of this thesis, the Post-Cold War era spans the years 1989 to 2000. It analyzes the CT strategy for the presidential administrations of George H. W. Bush and Bill Clinton. During this time, the fall of the Soviet Union coincides with a decline in state-sponsored terrorism. The Post-Cold War era focused on transnational, non-state terrorists on the international front and right-wing militia or anti-government groups on the domestic front. The Post-Cold War era experienced the greatest transformation in terrorist tactics and development of a CT strategy.

George H. W. Bush

When President George H. W. Bush took office on January 20, 1989, he brought a CT perspective that no previous president enjoyed.⁴⁷ Chairing the 1985 Task Force on Combatting Terrorism enabled Bush to shape Reagan's CT policy prior to his own presidency. With the absence of an obvious threat, Bush did not see any need for major structural changes to the U.S. CT strategy.⁴⁸

The most significant challenge to Bush's CT policy occurred during the Reagan to Bush transition. On December 21, 1988, Pan Am flight 103 exploded over Lockerbie, Scotland. A bomb inside a piece of luggage killed 270 people on the plane and the ground. Even though intelligence officials received warning prior to the incident, several carriers did not consider the threat specific enough and failed to modify their screening

⁴⁷ White House, "George H. W. Bush," White House, <https://www.whitehouse.gov/1600/presidents/georgehwbush> (accessed October 26, 2017).

⁴⁸ Naftali, *Blind Spot: The Secret History of American Counterterrorism*, 224.

process. The 100% screening procedures mandated by the Nixon administration in 1973 did not cover checked baggage. It only pertained to passengers and carry-on luggage. Therefore, terrorists placed a bomb in a checked bag as the plane passed through Frankfurt, Germany.⁴⁹

In contrast to the principles of the previous administration, the Bush administration treated the Lockerbie bombing as a crime rather than an act of war for several reasons. First, the investigation took over three years. During that time, the U.S. viewed Syria, Iran, Iraq, and finally Libya as suspects. Second, Bush and his foreign policy team concentrated on other issues. The Soviet Union collapsed and the U.S. fought the Gulf War. Third, international reaction to Reagan's 1986 military strike against Libya was harsh and it did not deter Gaddafi from further acts of terrorism. Fourth, the British government handled the investigation since it was on its territory. Finally, Bush believed that international law and less military force governed the new world order.⁵⁰

In response to the Lockerbie bombing, on August 4, 1989, Bush issued an executive order that established the President's Commission on Aviation Security and Terrorism. In May 1990, the seven-member panel released its findings.⁵¹ The panel determined the Lockerbie bombing was preventable. Pan Am ignored some of its own security measures that contributed to the unscreened luggage getting on the plane. The panel, also, determined that the U.S. civil aviation security system failed to provide a proper level of protection to citizens. In addition, the report provided some recommendations on state-sponsored terrorism. It recommended that the U.S. hold state

⁴⁹ Naftali, *Blind Spot: The Secret History of American Counterterrorism*, 203.

⁵⁰ Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama*, 78.

⁵¹ Ibid.

sponsors accountable for their actions, and that the U.S. should use all elements of national power to conduct preemptive, retaliatory, direct, or covert operations against countries that engage in state-sponsored terrorism.⁵²

The international CT strategy of Bush varied little from his predecessor. However, due to the change in the Post-Cold War environment, the decisions he made were completely different. Even though Bush viewed international acts of terrorism as an act of war, he never used military force in response to a terrorist attack.⁵³ During his presidency, Bush consistently drifted toward a LE centric approach to terrorism, which focused exclusively on management of the incident and not prevention. Bush, like Reagan, often discovered that strong rhetoric was easier than aggressive action.⁵⁴

Additionally, like his predecessor, Bush had virtually no domestic CT strategy. His administration's preoccupation with foreign policy issues, combined with a decreasing number of terrorist attacks in the U.S., created a lessened sense of awareness toward the predominant terrorist threat to the U.S. Single-issue groups continued to be the most significant threat to the homeland during his presidency: 51.9% (53 of 102) of attacks. The second most prevalent threat to the U.S. was created by unclear attacks. In total, both groups accounted for 92.1% (94 of 102) of the attacks during the Post-Cold War era (see Table 3 below).

⁵² Federation of American Scientists, "Report of the President's Commission on Aviation Security and Terrorism," Federation of American Scientists, https://fas.org/irp/congress/1990_cr/h900521-terror.htm (accessed December 7, 2017).

⁵³ Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama*, 75.

⁵⁴ *Ibid.*, 80.

Table 3. Terrorist attacks by group during the Post-Cold War era (1989-2000)⁵⁵

	National-Separatist	Reactionary	Religious	Revolutionary	Single Issue	Unclear	Attacks
1989	1	0	1	0	9	16	27
1990	2	0	0	0	12	10	24
1991	2	0	0	0	12	10	24
1992	0	0	1	1	20	5	27
1993	0	4	0	0	18	10	32
1994	0	0	0	0	17	14	31
1995	0	2	0	0	18	11	31
1996	0	1	0	0	9	12	22
1997	1	0	2	0	13	10	26
1998	3	0	0	0	15	8	26
1999	0	2	0	0	33	4	39
2000	0	0	0	0	21	2	23
Total	9	9	4	1	197	112	332

Throughout the Bush administration, the occurrence of state-sponsored terrorism was on the decline. Within the international community, signs indicated that the nature of terrorism was changing. Intelligence reports in the early 1990's pointed toward a rise in independent groups motivated by religious fundamentalism.⁵⁶ This trend would soon migrate to the U.S. and confront the next president.

Bill Clinton

When Bill Clinton took office on January 20, 1993, the U.S. faced a new set of challenges on both the international and domestic front.⁵⁷ On the international front, the U.S. foreign policy focus of the previous nine presidential administrations was gone. The most significant international threat facing the U.S. came from religiously motivated non-

⁵⁵National Consortium for the Study of Terrorism and Responses to Terrorism (START), Global Terrorism Database (2016), <https://www.start.umd.edu/gtd> (accessed September 5, 2017).

⁵⁶ Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama*, 81.

⁵⁷ White House, "William J. Clinton," White House, <https://www.whitehouse.gov/1600/presidents/williamjclinton> (accessed October 26, 2017).

state terrorist networks.⁵⁸ On the domestic front, during Bill Clinton's eight years in office, the U.S. experienced the continued emergence of single-issue and reactionary, anti-government groups. These groups committed acts of violence on a level never seen within the U.S.

In June 1995, Bill Clinton signed PDD 39, which provides Clinton's core policy on CT. The PDD is the first presidential policy to address terrorism as an asymmetric threat to the U.S. PDD 39 consists of five major points. First, consistent with the tenets of his predecessors, Clinton supported a no concessions policy for negotiating with terrorists. The second point emphasizes the use of the existing judicial system. Clinton sought active prosecution of individuals that either engaged or supported terrorism. He viewed the containment of international terrorism as a LE matter. Third, the Clinton administration wanted to isolate and change the behavior of terrorists. The fourth point of his CT strategy focused on international cooperation. The Clinton administration desired enhanced coordination of CT efforts with other countries to defeat a common threat. Last, the administration stated that there was no higher priority than preventing the acquisition of WMD or eliminating it from groups opposed to the U.S.⁵⁹

In practice, Bill Clinton's international CT policy resembled a hybrid of the previous two administrations. Clinton highlighted this approach to international terrorism during a televised address to the nation after ordering a military strike against Al Qaeda in 1998⁶⁰. He stated, "law enforcement and diplomatic tools have been previously used in

⁵⁸ Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama*, 101.

⁵⁹ *Ibid.*, 86.

⁶⁰ National Commission on Terrorist Attacks upon the United States. *Law Enforcement, Counterterrorism, and Intelligence Collection in the United States Prior to 9/11: Staff Statement No. 9*. (Washington, DC: National Commission on Terrorist Attacks upon the United States, 2004), 2.

the fight against international terrorism, but there are times when law enforcement and diplomatic tools are simply not enough...when our national security is challenged we must take extraordinary steps to protect the safety of our citizens.”⁶¹ On the two occasions in which Clinton used military force, he used the same legal justification as Ronald Reagan. Clinton justified the use of force by “citing constitutional authority as the Commander in Chief and through Chapter VII, Article 51 of the United Nations Charter.”⁶² Bill Clinton’s use of rendition was also consistent with a practice used by the Reagan administration, since both administrations conducted the practice without cooperation from the host government.⁶³

The Clinton administration’s first use of military force occurred on June 26, 1993. President Clinton ordered a Navy strike, which included 23 tomahawk cruise missiles against targets in Iraq. FBI intelligence learned that Saddam Hussein’s intelligence service attempted to assassinate former U.S. President George H. W. Bush in April 1993, during a visit in Kuwait City.⁶⁴ The next use of force would not take place for another five years. On August 7, 1998, al Qaeda terrorists attacked the U.S. embassies in Nairobi, Kenya and Dar es Salaam, Tanzania. The attacks killed 252 and injured more than 4,000.⁶⁵ Clinton responded on August 20, 1998 with Operation Infinite Resolve. The response included 79 tomahawk cruise missiles against terrorist camps in Afghanistan and the Sudan.⁶⁶

⁶¹ Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama*, 86.

⁶² Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama*, 91.

⁶³ *Ibid.*, 98.

⁶⁴ *Ibid.*, 91.

⁶⁵ National Commission on Terrorist Attacks upon the United States. *Law Enforcement, Counterterrorism, and Intelligence Collection in the United States Prior to 9/11: Staff Statement No. 9*. (Washington, DC: National Commission on Terrorist Attacks upon the United States, 2004), 2.

⁶⁶ Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama*, 95.

Generally, outside of the two occasions in which Clinton opted for military force, he pursued an avoidance strategy. Clinton sought to execute his international CT strategy through unilateral and defensive actions. On two such incidents, similar to the embassy bombings, Clinton opted for a LE approach. On June 25, 1996, terrorists bombed the Khobar Towers in Saudi Arabia, which killed 19 U.S. military personnel and injured hundreds. In response to the attack, Clinton sent several hundred FBI investigators to Saudi Arabia. The U.S. indicted 13 individuals in June 2001 for the attack.⁶⁷ The second incident was the U.S.S. Cole bombing. On October 12, 2000, a suicide bomber in the Yemeni port of Aden, attacked a U.S. Navy ship. The attack resulted in 17 deaths and 39 injuries. Clinton sent a team of FBI personnel to investigate the incident. The investigators determined al Qaeda was responsible but the administration took no action.⁶⁸

The Clinton administration's response to terrorist attacks in the U.S. focused on a LE approach. This approach was completely reactive in nature and consisted of investigation, arrest, and prosecution within the standard U.S. judicial system.⁶⁹ Over the course of the Clinton administration, several incidents helped shape his CT strategy. The first significant incident was the World Trade Center Bombing in New York City, NY. On February 26, 1993, a truck bomb exploded in the World Trade Center. The blast killed six and injured over a thousand. As a result of the lengthy investigation, the FBI identified the Islamic extremist suspects and brought them back to the U.S. for trial and

⁶⁷ National Commission on Terrorist Attacks upon the United States. *Law Enforcement, Counterterrorism, and Intelligence Collection in the United States Prior to 9/11: Staff Statement No. 9*. (Washington, DC: National Commission on Terrorist Attacks upon the United States, 2004), 2.

⁶⁸ Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama*, 99.

⁶⁹ *Ibid.*, 90.

eventual conviction.⁷⁰ The World Trade Center bombing highlights the significant value of the Joint Terrorism Task Force (JTTF). The JTTF successfully facilitated the coordination between numerous federal and local LE agencies to investigate the attack.⁷¹ The second incident was the Oklahoma City Bombing on April 19, 1995. Timothy McVeigh, an anti-government terrorist, detonated a truck bomb in front of the Alfred P. Murrell Federal Building in Oklahoma City, OK, which killed 169 men, women, and children. The FBI and local LE identified McVeigh and two conspirators as suspects. McVeigh was eventually convicted and executed.⁷²

In February 1995, through an effort to address an emerging domestic terrorism problem, Clinton introduced the Omnibus Counter-Terrorism Act of 1995. The bill was the first attempt by a U.S. President to develop a comprehensive CT strategy against domestic terrorism. However, the bill stalled in the Republican controlled House of Representatives due to nationwide opposition to the bill. One particular initiative in the \$2.1 billion dollar bill drew considerable opposition. The bill called for “new surveillance powers for LE agencies” in a time when Americans were not willing to sacrifice civil liberties. Even after the Oklahoma City bombing, support for the bill was non-existent due to government distrust. Clinton did not make any further attempts to initiate a comprehensive CT strategy through legislation for the remainder of his term.⁷³

One legislative measure that captured bi-partisan support and contributed to the prevention of international terrorism was the Antiterrorism and Effective Death Penalty

⁷⁰ National Commission on Terrorist Attacks upon the United States. *Law Enforcement, Counterterrorism, and Intelligence Collection in the United States Prior to 9/11: Staff Statement No. 9*. (Washington, DC: National Commission on Terrorist Attacks upon the United States, 2004), 2.

⁷¹ Phillip B. Heymann, *Terrorism and America: A Commonsense Strategy for a Democratic Society* (Cambridge, MA: MIT Press, 1998), 105.

⁷² Naftali, *Blind Spot: The Secret History of American Counterterrorism*, 244.

⁷³ *Ibid.*, 257.

Act of 1996. The act empowered the DOS with authority to designate any foreign organization that engages in terrorist activity as a threat to the security of the U.S. It also made it a federal crime to knowingly engage in financial transactions with countries designated by the DOS as supporting terrorism. The measure granted the president power to withhold assistance to countries that support other states that aid terrorism.⁷⁴

Toward the end of his administration, Clinton put forth two additional initiatives to streamline government operations and make them more responsive. President Clinton signed PDD 62 in June 1998 to reorganize the CT structure within his administration. PDD 62 created the position of national counterterrorism coordinator. Combined with budgetary authority and policymaking responsibility, the position provided direct access to all principals' meetings.⁷⁵ The second initiative results from the Millennium Plot after action review. In December 1999, U.S. officials received intelligence that several worldwide attacks would take place within the month. The attacks, known as the Millennium Plot, never materialized after customs officials intercepted terrorists entering the country. In response to the organized plots, Richard Clarke, the chief CT advisor on the National Security Council, submitted 29 proposals to increase domestic security. The proposals included measures that tracked foreign student class participation, real-time access to suspect conversations, enhanced JTTF staffing, and WMD detectors at border crossings. The administration accepted all of Clarke's proposals. Over the next couple of months, Clinton introduced these measures to the public and emphasized the funding request associated with the plan.⁷⁶

⁷⁴ Heymann, *Terrorism and America: A Commonsense Strategy for a Democratic Society*, 105.

⁷⁵ Naftali, *Blind Spot: The Secret History of American Counterterrorism*, 263.

⁷⁶ Naftali, *Blind Spot: The Secret History of American Counterterrorism*, 277.

The Clinton administration made numerous attempts over the course of eight years to develop a more effective and proactive CT strategy, but encountered many roadblocks that prevented its complete development. Some of the obstacles were personal and some were political. A personal roadblock existed between the FBI director Louis Freeh and the White House. Freeh did not approve of the lack of effort the White House made in supporting his agency during the Khobar Towers investigation. As result, the FBI made it difficult for the NSC and the White House to get accurate intelligence information for the execution of informed CT policy and decisions.⁷⁷ On the political side, Clinton was unable to get several initiatives through in reaction to his own legal problems.

Summary

In respect to terrorism, three significant themes appeared during the Post-Cold War era. On the international front, the end of the Cold War marked a significant decline in state-sponsored terrorism. Internationally, religious motivated violence by non-state actors replaced state-sponsored terrorism. However, even though the character of terrorism changed, the response to terrorism remained the same. Both George H. W. Bush and Bill Clinton opted to use LE as the primary response in the fight against terrorism. This reactive approach often proved ineffective as a deterrent from the new threat.

The second theme of the Post-Cold War era pertains to the character and frequency of terrorist attacks in the U.S. The Post-Cold War era witnessed a tremendous

⁷⁷ Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama*, 88.

increase in the lethality of terrorist attacks in the U.S. In particular, the number of fatalities in the Oklahoma City Bombing almost equal the total of number of fatalities from the entire Cold War era; 169 to 187 (Table 2).⁷⁸ Though the lethality of attacks was on the rise, the number of attacks in the U.S. continued to decrease. During the Post-Cold War, there were 332 attacks in the U.S. for an average of 28 terrorist attacks per year. Much like the trend at the end of the Cold War, single-issue attacks were the dominant cause of terrorist attacks in the U.S throughout the Post-Cold War era (see Table 4 below).

Table 4. Terrorist attacks during the Post-Cold War era (1989-2000)⁷⁹

	Total Attacks	Successful Attacks	Killed	Injured
1989	27	25	1	3
1990	24	27	2	7
1991	24	23	2	2
1992	27	24	1	2
1993	32	28	6	1002
1994	31	20	5	6
1995	31	25	169	729
1996	22	20	1	114
1997	26	13	0	12
1998	26	19	3	3
1999	39	23	2	2
2000	23	18	0	0
Total	332	265	192	1882

The final significant theme during the Post-Cold War era concerns the level of priority that each administration gave toward terrorism. For President Bush, CT was not a

⁷⁸ National Consortium for the Study of Terrorism and Responses to Terrorism (START), Global Terrorism Database (2016), <https://www.start.umd.edu/gtd> (accessed September 5, 2017).

⁷⁹ Ibid.

priority. Instead of terrorism, the fall of the Soviet Union, the Gulf War, and other foreign policy issues dominated his administration's priorities. On the other hand, CT policy was a priority for Bill Clinton. Throughout Bill Clinton's presidency, he consistently issued PDDs or executive orders to better prepare federal, local, state, and tribal LE agencies with the tools and resources to reduce the threat of terrorism in the U.S.

CHAPTER 5

WAR ON TERROR (2001-2016)

The WOT era spans the years 2001 to 2016 and includes the presidencies of George W. Bush and Barack Obama. The continued rise of transnational terrorism, which culminated in the attack on 9/11, precipitated a complete transformation in CT strategy. The pre-emptive use of military force to combat international terrorism replaced the LE approach of previous administrations. Even though this CT strategy spanned two eight-year presidential administrations, it remained virtually the same over time.

George W. Bush

When George W. Bush entered office on January 20, 2001, he retained most of Clinton's counterterrorism team. This included Richard Clarke as the National Security Council's counterterrorism expert, George Tenet as CIA director, and Louis Freeh as FBI director. The team immediately confronted the Bush administration with information that required several decisions concerning al Qaeda, its sanctuary in Afghanistan, counterterrorism funding, and a response for the attack on the U.S.S. Cole. This information was new to the Bush team. Prior to taking office, neither President Bush nor his top advisors received a brief on al Qaeda and therefore downgraded the significance of CT and al Qaeda as an urgent threat. The administration made no decisions on CT during the first few months of the administration. Instead, Bush chose to pursue ballistic missile defense as his foreign policy priority.

The focus of the administration drastically changed on September 11, 2001. Within a month of the attacks on the World Trade Center and the Pentagon, the U.S. initiated Operation Enduring Freedom (OEF) and the Global War on Terror (GWOT). Bush sent a limited military force into Afghanistan to destroy Al Qaeda and change the government in Afghanistan so it was no longer a safe haven for terrorists.¹ With the exception of getting Osama Bin Laden, the U.S. quickly achieved its objectives in Afghanistan and prepared for the next phase in the WOT.²

The initiation of OEF in Afghanistan signaled a dramatic shift in U.S. international CT strategy. The administration no longer saw the fight against terrorism as a predominately LE issue. The Central Intelligence Agency (CIA) and the military became lead agencies in the WOT. The WOT empowered the CIA and the Department of Defense (DOD) to capture or kill terrorists with extreme latitude.³ However, within this unconstrained latitude came the issue of rendition. Rendition during the Bush administration was so widespread that nobody knows how many terrorists were rendered by the CIA and taken to black sites around the globe for interrogation. Bush's use of black sites signaled a dramatic shift from previous administrations. The criminal courts no longer prosecuted suspected terrorists against any number of federal statutes unless caught in the U.S.⁴ Instead, the administration established military tribunals to detain and try U.S. non-citizens for terrorist activity when caught outside the U.S.⁵

¹ Haley Stauss, "United States' Strategy in Afghanistan from 2001 to Today," *Pepperdine Policy Review* Vol. 5, No. 3 (2012): 3, <https://digitalcommons.pepperdine.edu/ppr/vol5/iss1/3/> (accessed December 8, 2017).

² Stauss, "United States' Strategy in Afghanistan from 2001 to Today," 5.

³ Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama*, 114.

⁴ *Ibid.*, 119.

⁵ White House, "Bush Issues Military Order," White House, <https://georgewbush-whitehouse.archives.gov/news/releases/2001/11/20011113-27.html> (accessed December 16, 2017).

As Bush exploited his executive power to conduct the WOT, he also used tremendous political capital from 9/11 to develop the first proactive domestic CT policy. On October 26, 2001, the USA PATRIOT Act: Preserving Life and Liberty (Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism) passed with overwhelming bipartisan support. The USA PATRIOT Act improved LE's ability to detect and prevent terrorism in several ways. First, it enabled LE investigators to employ surveillance tactics used against organized crime and drug traffickers. It gave LE officials the ability to gather information and obtain roving wiretaps on a wide range of terrorist related crimes such as WMD offenses, killing Americans abroad, and the financing of terrorist related activity. It also enhanced the intelligence sharing between government agencies by eliminating many legal barriers that existed in the sharing of information, to enable a preventive approach to CT. The third major component of the USA PATRIOT Act transitioned antiquated legal authorities to meet the demand of the digital age. LE officials could now obtain search warrants any place suspected terrorist activity occurred. Prior to the law, a search warrant was restricted to the search location. Lastly, the USA PATRIOT Act enhanced the penalties for terrorists. It eliminated the statute of limitations for certain crimes and expanded the range of penalties to include those that support terrorist operations at home and abroad.⁶

In the summer of 2002, Bush introduced his policy for the WOT during a speech at the West Point graduation.⁷ The speech established a policy built on preemptive action.

⁶ U.S. Department of Justice, "The USA Patriot Act: Preserving Life and Liberty," U.S. Department of Justice, <https://www.justice.gov/archive/ll/highlights.htm> (accessed December 10, 2017).

⁷ White House, "President Bush Delivers Graduation Speech at West Point," White House, <https://georgewbush-whitehouse.archives.gov/news/releases/2002/06/20020601-3.html> (accessed September 17, 2017).

The publication of the 2002 *National Security Strategy* in September 2002 formalized this policy shift from deterrence to preemption.⁸ The policy, which was reminiscent of principles from the Reagan administration, became the “Bush Doctrine.” The “Bush Doctrine” consisted of four tenets. The first tenet is that the U.S. “will make no distinction between terrorists and those who knowingly harbor or provide for them.” Second, the U.S. will “identify and destroy the threat before it reaches our borders.” Third, the U.S. will “exercise the right of self-defense by acting preemptively.” Last, the U.S. will “actively work to bring the hope of democracy to every corner of the world.”⁹

In February 2003, the Bush administration published the “National Strategy for Combatting Terrorism.” The document was the first CT strategy document that provided defined goals and objectives to combat terrorism. The strategy fought terrorism on four fronts. The first front or goal called to defeat terrorists and their organizations through using all elements of national power to include, diplomatic, economic, information, LE, military force, financial means, and intelligence.¹⁰ The second goal denied sponsorship, support, and sanctuary to terrorists. The strategy, also, held responsible any state that may choose to harbor or provide shelter to terrorists.¹¹ Third, the strategy sought to diminish the conditions that terrorists seek to exploit. The U.S. was committed to resolving political instability, fostering economic, social, and political development and the rule of law in an effort to change conditions that terrorists use to their advantage.¹² Finally, the strategy sought to defend U.S. citizens and interests at home and abroad. This goal

⁸ Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama*, 140.

⁹ U.S. President, *National Security Strategy of the United States of America* (Washington DC: Government Printing Office, September 2002), 5.

¹⁰ U.S. President, *National Strategy for Combatting Terrorism* (Washington DC: Government Printing Office, February 2003), 15.

¹¹ U.S. President, *National Strategy for Combatting Terrorism*, 17.

¹² *Ibid.*, 22.

encompassed both the physical and cyber protection of the U.S. while preserving the democratic principles of the Nation.¹³

George Bush implemented the most comprehensive CT strategy to date. In response to a significant rise in religious extremism on the international front and the attacks of 9/11, the WOT became the legacy of his presidency. He published the first CT strategy document and transformed the reactive CT policies of his predecessors into a strategy built on pre-emptive military action. Combined with the passage of the USA PATRIOT Act, the creation of the Department of Homeland Security (DHS), and the building of Fusion Centers, Bush significantly improved intelligence sharing among federal, state, local, and tribal LE agencies within the U.S. The expansion of Fusion Centers facilitated the exchange of intelligence information and enabled LE to become “first preventers and no longer just first responders.”¹⁴ This proactive approach virtually eliminated the predominant threat of single-issue groups and the perceived threat of religious extremism in the homeland.

Barack Obama

Barack Obama entered the presidency in 2009 with little ability to shape his own CT strategy. The military conflicts in Iraq and Afghanistan limited Obama’s administration to three options. First, the Obama administration could declare the WOT over. However, that option was not feasible. Osama Bin Laden was still alive and able to inspire other Al Qaeda sympathizers to attack U.S. interests. The second option for the administration was to renounce the WOT as rhetoric and not an actual armed conflict.

¹³ U.S. President, *National Strategy for Combatting Terrorism*, 24.

¹⁴ Edgar B. Tembo, *US-UK Counter-Terrorism after 9/11: A Qualitative Approach*, 93.

This option would prove politically and legally impossible for Obama. Eliminating the concept of armed conflict would delegitimize the legality of policies on detainees and targeting from the Bush administration and possibly subject them to legal recourse. The Obama administration sought a third option. He pursued an option that was neither LE nor military focused.¹⁵

In August 2009, John Brennan, President Obama's senior advisor for Homeland Security and Counterterrorism, outlined the President's CT strategy that focused on the third option. The strategy consisted of five elements. The first element described the fight against terrorism as part of U.S. foreign policy. Contrary to the previous administration, terrorism would not entirely define national security or foreign policy. In the second tenet, Obama rejected the concept of WOT. He stated that terrorism is a tactic. Therefore, the CT strategy was against al Qaeda and its supporters. The third element of the CT strategy sought to address the underlying conditions that support violent extremism. Obama felt that failing to address the political, social, and economic conditions of potential recruits would not eliminate the tactic. Fourth, the Obama administration recognized that military force was not a solution to the problem. Instead, only a synchronized political, social, and economic program to meet the basic needs of the people would eliminate terrorism. Finally, the solution required the integration of all elements of national power to address the causes that generate national security issues.¹⁶

The Obama administration's attempt to differentiate its CT strategy from the previous administration was more rhetoric than substance.¹⁷ Obama continued to use the

¹⁵ Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama*, 172.

¹⁶ Ibid.

¹⁷ Ibid., 191.

military option as the primary defense against terrorism. Within his first term, Obama expanded the continued use of drone “signature strikes” into Yemen and other countries. The expansion in drone strikes established policy that daily patterns of life, and not real intelligence, made people a target of the U.S. CT strategy.¹⁸ However, in his second term, the use of military force changed significantly. Obama wanted to distance his administration from the fallout of the drone strikes and eliminate the need for U.S. forces to occupy a foreign territory. President Obama emphasized the use of special operations forces to conduct precision raids with other nations’ CT units.¹⁹

On the domestic front, the Obama administration implemented incremental changes to improve the efficiency of the intelligence sharing and the preparedness of first responders. With much criticism, President Obama signed into law a revised version of the USA PATRIOT Act, which limited the government’s ability to collect bulk data against American citizens. Obama felt the threat to privacy from government intrusion outweighed the threat of a terrorist attack. Coincidentally, revision of the USA PATRIOT Act occurred as the number of terrorist attacks in the U.S. started to rise. This trend, which continued over the first six years of the Obama presidency, indicated a rise in reactionary groups, religious groups, and many other actors with an unclear motive or ideology.

Overall, international terrorism dominated Barack Obama’s CT strategy. It was essentially a continuation of the previous administration and remained pre-occupied with al Qaeda. In June 2009, President Obama issued the *National Strategy for Counterterrorism* and solidified this preoccupation. The entire document focused on al

¹⁸ Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama*, 176.

¹⁹ Ibid., 187.

Qaeda and its affiliate groups abroad²⁰. It has very little reference to the U.S. homeland or domestic terrorism. The *National Strategy for Counterterrorism* does not address the growing number of reactionary hate group attacks, unclaimed attacks, or non al Qaeda affiliated religious group violence.²¹

Summary

On September 11, 2001, simultaneous attacks on the World Trade Center, the Pentagon and an attempted attack on the U.S. Capital by transnational terrorists fundamentally changed the American way of life. Since that day, the U.S. has been preoccupied with Islamic extremism. For the next sixteen years, the WOT defined the presidencies of George W. Bush and Barack Obama. Both administrations prioritized their agenda to fight conflicts in Afghanistan and Iraq, created the Department of Homeland Security, and passed the USA PATRIOT ACT, all in an effort to fight the war on terrorism. Although Barack Obama attempted to distance himself from the term war on terrorism, both Presidents executed a similar CT strategy to fight violent extremism at its point of origin; the Middle East and South Asia.²² In addition, both Presidents led an administration focused on the wrong threat. Each administration's preoccupation with Islamic extremism overshadowed the most prevalent threat to the U.S. homeland. During this time, the number of unclaimed terrorist attacks rose significantly to be the predominant threat to the U.S. homeland (see Table 5 below).

²⁰ U.S. President, *National Strategy for Counterterrorism* (Washington DC: Government Printing Office, June 2011), 12.

²¹ National Consortium for the Study of Terrorism and Responses to Terrorism (START), Global Terrorism Database (2016), <https://www.start.umd.edu/gtd> (accessed September 5, 2017).

²² Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama*, 172.

Table 5. Terrorist attacks by group during the Global War on Terror era (2001-2016)²³

	National-Separatist	Reactionary	Religious	Revolutionary	Single Issue	Unclear	Attacks
2001	0	0	4	0	19	15	38
2002	0	0	0	0	9	4	13
2003	0	1	0	0	24	6	31
2004	0	1	0	0	6	2	9
2005	0	0	0	0	11	9	20
2006	0	0	1	0	4	0	5
2007	0	0	0	0	8	1	9
2008	0	1	0	0	5	5	11
2009	0	0	1	0	3	5	9
2010	0	0	1	0	5	10	16
2011	0	0	0	0	1	7	8
2012	0	7	0	0	3	5	15
2013	0	0	4	1	2	7	14
2014	0	3	5	1	1	14	24
2015	0	8	6	1	2	16	33
2016	0	9	9	0	3	32	53
Total	0	30	31	3	106	138	308

In 2015 and 2016, 56% of all terrorist attacks in the U.S. came from an undetermined source and the current CT strategy does not address it (Table 5).²⁴ Instead, current CT strategy continues to focus on international terrorism and fails to adequately address terrorist threats within the U.S.

²³National Consortium for the Study of Terrorism and Responses to Terrorism (START), Global Terrorism Database (2016), <https://www.start.umd.edu/gtd> (accessed September 5, 2017).

²⁴Ibid.

CHAPTER 6

FINDINGS AND CONCLUSION

The findings of this thesis indicates that the U.S. CT strategy for terrorism does not effectively reflect change to the emerging terrorist threat in the U.S. All three case analysis show that the perceived threat by each administration differed from the actual threat to the U.S. homeland. In addition, the findings of this thesis indicates that of the eight U.S. Presidents within the case studies, only four made CT a priority of their administration.

The Cold War comparative analysis clearly indicates that the perceived threat to the U.S. does not match the actual documented threat. The Nixon and Ford administration perceived that the PLO and national-separatists presented the greatest threat to the U.S. During the Carter and Reagan administration, the perceived threat shifted to Marxist ideology and state-sponsored terrorism. The findings of this thesis indicates that revolutionary groups caused more terrorist attacks in the U.S. than any other group during the Cold War era: 30.7% (494 of 1605). Unclaimed or undetermined attacks account for the second largest number of attacks during this era: 25.9% (416 of 1605). Toward the end of the Cold War era, the number of attacks within the U.S. decreased dramatically and the emerging threat shifted to single-issue groups. From January 1, 1981 to December 31, 1988, single-issue groups accounted for 26.4% (90 of 340) of terrorist incidents within the U.S. (Table 1).²⁵

²⁵ National Consortium for the Study of Terrorism and Responses to Terrorism (START), Global Terrorism Database (2016), <https://www.start.umd.edu/gtd> (accessed September 5, 2017).

Ronald Reagan is the only U.S. President during that time that considered CT a priority of his administration. With the issuance of NSSD 30, President Reagan made the first attempt to establish a comprehensive approach to CT. The remaining three administrations discounted the significance of terrorism as a strategic threat to the U.S. All three administrations displayed no effort to advance CT policy through legislation and produced nothing of substance by executive order.

Much like the Cold War era, the Post-Cold War comparative analysis indicates that the perceived threat differs from the actual threat. During the Bush administration, the perceived threat to the U.S. was state-sponsored terrorism. Once Bill Clinton took office, the perceived threat transitioned to religious motivated non-state terrorists on the international front, and right-wing militia or anti-government groups in the U.S. In reality, the greatest terrorist threat to the U.S. homeland during this era remained single-issue groups: 59% (197 of 332). Reactionary groups, which contain most right wing, anti-government groups, only account for 0.02% (9 of 332). The number of unclaimed or undetermined terrorist attacks during this era account for 33.7% (112 of 332) (Table 3).²⁶

During the Post-Cold War era, the lack of attention that the Bush administration dedicated to CT indicates it was not a priority for his administration. International affairs completely consumed the entire Bush administration. The fall of the Soviet Union and focus on the Gulf War, combined with decreasing terrorist attacks in the U.S., created a false sense of security in respect to terrorism. Therefore, his administration failed to push forth any legislation and sparsely used executive action to address terrorism concerns. Bill Clinton, on the other hand, was quite active in the fight against terrorism. Even

²⁶ National Consortium for the Study of Terrorism and Responses to Terrorism (START), Global Terrorism Database (2016), <https://www.start.umd.edu/gtd> (accessed September 5, 2017).

though the economy was the initial focus of his administration, with the First World Trade Center bombing, CT quickly became a priority of his presidency. Through military force, support for multiple legislative actions, and the issuance of numerous executive orders, Bill Clinton exhibited a proactive approach toward terrorism.

Resulting from the attacks on September 11, 2001, the comparative analysis of the WOT era clearly indicates the perceived threat to the U.S was transnational Islamic extremism. The perceived threat dominated the entire presidency of George W. Bush and Barack Obama. However, this thesis shows that actual threat to the U.S. was not religious terrorism. The most likely terrorist threat during the WOT era remained single-issue groups: 81.1% (86 of 106) during the Bush administration and resulted in no fatalities (see Table 6 below).

Table 6. Terrorist attacks during the Global War on Terror era (2001-2016)²⁷

	Total Attacks	Successful Attacks	Killed	Injured
2001	38	31	3005	14864
2002	13	12	3	4
2003	31	25	0	0
2004	9	7	0	0
2005	20	15	0	0
2006	5	3	0	9
2007	9	6	0	0
2008	11	10	2	9
2009	9	8	18	41
2010	16	13	4	17
2011	8	5	0	2
2012	15	15	7	7
2013	14	10	7	284
2014	24	21	19	6
2015	33	30	40	49
2016	53	48	64	130
Total	308	259	3169	15422

²⁷National Consortium for the Study of Terrorism and Responses to Terrorism (START), Global Terrorism Database (2016), <https://www.start.umd.edu/gtd> (accessed September 5, 2017).

Aside from the four religious motivated attacks on 9/11, there was only one other religious attack during the entire Bush presidency. In fact, a rise in religiously motivated terrorism does not occur until 2013. In total, from 2001 to 2016, only 31 religiously motivated attacks occurred in the U.S: 10.0% (31 of 308). During the Obama administration, reactionary groups or individual actors that had not indicated a clear ideology or political motive became the predominant terrorist threat to the U.S. Between 2009 and 2016, these groups accounted for 15.6% and 55.8%, respectively, of the terrorism in the U.S. Both groups outpaced the impact of religious terrorism: 15.1% (26 of 172 incidents from January 1, 2009 to December 31, 2016).²⁸ During the War on Terror era, the total unclaimed or undetermined attacks account for 44.8% (138 of 308) of all attacks (Table 5).²⁹

During the WOT era, terrorism was the dominate priority for the Bush and Obama presidencies. Both Presidents displayed a concerted focus on developing a comprehensive CT strategy. On the international front, military force replaced the rhetoric of Ronald Reagan’s “retribution” policy. Prior to 9/11, U.S. Presidents used military force sparingly and only in response to a previous attack. However, the Bush Doctrine changed that response. Pre-emptive military action became the first option in dealing with international terrorism or in response to transnational actors planning attacks on the homeland. On the domestic front, Bush and Obama implemented a vast number of policies that expanded intelligence sharing and the creation of FBI JTTFs. This

²⁸ National Consortium for the Study of Terrorism and Responses to Terrorism (START), Global Terrorism Database (2016), <https://www.start.umd.edu/gtd> (accessed September 5, 2017).

²⁹ Ibid.

transformed federal, state, tribal, and local LE agencies into more proactive forces against terrorism in the U.S.

Recommendations

This thesis focused on a three part comparative analysis to identify the CT strategy of the previous eight U.S. Presidents and evaluate its adaptation to the emerging threats of terrorism in the U.S. within three eras of time: Cold War era, Post-Cold War era, and WOT era. After reviewing the many historical documents, policy documents, and strategies related the CT, two recommendations surfaced for consideration to improve federal, state, tribal, and local LE agencies ability to combat terrorism in the U.S.

The first recommendation for consideration is the development of an official and public list of domestic terrorist organizations. Currently, the DOJ identifies criminal activity that it considers domestic terrorism, but falls short in identifying groups and individuals the engage in the activity.³⁰ A failure to address this gap in reporting data leaves many attacks categorized as unclear or undetermined. This inhibits accuracy in reporting data and prevents the development of a coherent CT strategy with measurable objectives. The publication of a dedicated list provides two distinct advantages. First, a dedicated list enables the DOJ and other LE agencies to obtain a more accurate assessment of the actual domestic terrorist threat. This would aid in eliminating many of the attacks categorized as unclear or undetermined. Second, the dedicated list would

³⁰ Bjelopera, *Domestic Terrorism: An Overview*, 10.

expand the Terrorist Screening Database to include suspected terrorists and provide LE officials the ability to deter domestic terrorism in a more proactive manner.

The development of a dedicated list is not without opposition. There is much concern that the creation of this list inhibits First Amendment protected activities. As long as the list focuses on the criminal aspect of the activity and the imminent use of violence, First Amendment protection should not be an issue. Although *Brandenburg v. Ohio* struck down an Ohio statute that criminalized speech, which encouraged violence to bring about social and economic change, it also, provides justification for the list. In *Brandenburg v. Ohio*, the Supreme Court ruled, “advocacy of the use of force or of law violation” is protected unless “such advocacy is directed to inciting or producing imminent lawless action and is likely to incite or produce such action.”³¹ In addition, another precedent, which focuses on the criminal aspect, supports this recommendation. Currently, the FBI administers a program to eliminate the criminal enterprise from Transnational Organized Crime (TOC). The goal of the program is to dismantle and disrupt organizations and not select individuals.³²

The second recommendation for consideration is the development of a de-radicalization program. After analyzing CT strategies of multiple countries, such as the United Kingdom and the Netherlands, the absence of a de-radicalization program was the most noticeable facet to a comprehensive and proactive CT strategy. In *A National Strategy to Win the War Against Islamist Terrorism*, Michael McCaul suggests that the federal government should develop “off ramps” to radicalization. He proposes the

³¹ Kathleen A. Ruane, *Freedom of Speech and Press: Exceptions to the First Amendment*, CRS Report No. 95-815. (Washington, DC: Congressional Research Service, September 8, 2014), 5.

³² Federal Bureau of Investigation, “Transnational Organized Crime,” Federal Bureau of Investigation, <https://www.fbi.gov/investigate/organized-crime> (accessed December 19, 2017).

development of a program that allows some form of intervention with potential extremists before a crime is committed. The de-radicalization program should be a privately run, voluntary referral system.³³

De-radicalization programs currently operate in many other countries, such as the United Kingdom and the Netherlands, as part of their overall CT strategy. These countries realized that when LE was the only response to terrorism, society was at greater risk to violence from radicalization.³⁴ The programs witnessed positive results with de-radicalization programs that focused on two components. First, effective programs use de-radicalized individual to counsel and counter a particular terrorist group. Second, de-radicalization assists in the prevention and recruitment of the at-risk population.³⁵

When President Obama announced his CT strategy in 2009, one of his tenets called for the synchronization of political, social, and economic programs to meet the basic needs of the people. This tenet aimed to prevent radicalization in foreign countries and eliminate the recruiting base for terrorism.³⁶ However, he made no mention of introducing this concept in the U.S. Any revision of current CT strategy should expand this concept to de-radicalize citizens in the U.S.

Edgar Tembo stated, “We have to strike a balance between the acceptability of a counter-terrorism strategy to the general population and its effectiveness at stemming the perceived threat while still adhering to such democratic norms as freedom of speech and

³³ House Homeland Security Committee, *A National Strategy to Win in the War Against Islamist Terrorism*, 114th Cong., 2nd sess., September 20, 2016, 14.

³⁴ Lindsay Clutterbuck, “Deradicalization Programs and Counterterrorism: A Perspective on the Challenges and Benefits,” June 10, 2015, <https://www.mei.edu/sites/default/files/Clutterbuck.pdf> (accessed December 20, 2017), 14.

³⁵ Clutterbuck, “Deradicalization Programs and Counterterrorism: A Perspective on the Challenges and Benefits,” 12.

³⁶ Starr-Deelen, *Presidential Policies on Terrorism: From Ronald Reagan to Barack Obama*, 172.

habeas corpus.”³⁷ The recommendations provided in this thesis can be implemented and still protect this balance. On the domestic front, it would transition the current CT strategy to a more proactive approach and increase the flexibility federal, state, and local LE agencies have to prevent and pursue terrorists in the U.S.

³⁷ Edgar B. Tembo, *US-UK Counter-Terrorism after 9/11: A Qualitative Approach*, 12.

APPENDIX A
LIST OF ACRONYMS

CETIS	Center for Terrorism and Intelligence Studies
CIA	Central Intelligence Agency
CT	Counterterrorism
DHS	Department of Homeland Security
DOD	Department of Defense
DOJ	Department of Justice
DOS	Department of State
FAA	Federal Aviation Administration
FBI	Federal Bureau of Investigation
GTD	Global Terrorism Database
GWOT	Global War on Terror
GPRA	Government Performance and Results Act
IG/T	Interdepartmental Group on Terrorism
ISVG	Institute for the Study of Violent Groups
JTTF	Joint Terrorism Task Force
KKK	Ku Klux Klan
LE	Law Enforcement
NSC	National Security Council
NSDD	National Security Decision Directives
OEF	Operation Enduring Freedom
PGIS	Pinkerton Global Intelligence Service
PLO	Palestine Liberation Organization
PDD	Presidential Decision Directive
PSC	Presidential Security Memorandum
SDS	Students for a Democratic Society

START	Study of Terrorism and Responses to Terrorism
WOT	War on Terrorism Era
WMD	Weapons of Mass Destruction
TOC	Transnational Organized Crime

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VITA

Lieutenant Colonel Eugene Maxwell commissioned in 1994 as a Field Artillery Officer through the Officer Candidate School at the Kentucky Military Academy. LTC Maxwell served 22 years as an M-Day Soldier for the Kentucky Army National Guard. While an M-Day Soldier for the KYARNG, he deployed in support of OPERATION IRAQI FREEDOM, served in the Current Operations Branch of National Guard Bureau, and as the Battalion Executive Officer for the Fort Knox Warrior Transition Battalion. Previous assignments also include: Field Artillery Platoon Leader and Battery Commander for A Btry 1/623 FA (MLRS), TAC Officer for the 238th Regiment Officer Candidate School, Battalion Operations Officer, Battalion S-3, and Battalion Executive Officer for HHB 1/623 FA (HIMARS). In 2012, he transitioned to (Title 10) AGR and was assigned to the Fires Center of Excellence at Fort Sill, OK as the Senior ARNG Field Artillery Force Developer. As a T10 AGR Soldier, LTC Maxwell served as the Battalion Commander for the Fort Gordon Warrior Transition Battalion and the ARNG Deputy Chief of Staff at the Maneuver Support Center of Excellence at Fort Leonard Wood, MO. LTC Maxwell's military education includes the Field Artillery Officer Basic and Advanced Course, Combined Arms Service Staff School, Intermediate Level Education Course, Joint and Combined Warfighter School, and the Defense Strategy Course. He received his Bachelor of Arts degree in History and Government from Western Kentucky University in 1992 and a Master of Arts degree in Homeland Security from American Military University in 2010. LTC Maxwell retired as a detective from the Kentucky State Police in 2011.